

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8706 OF 2006

The State of Maharashtra
through the Executive Engineer,
Minor Irrigation Division,
Waranall, Vishrambag,
Sangli 416 415.

... Petitioner

V/s

Shri Shahaji Sopan Patil

... Respondent

Mr. D.A. Patil, A.G.P. for the petitioner.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 15TH JUNE, 2007.

P.C.:

1. This petition challenges the order of the Labour Court in Complaint (ULP) No. 300 of 1991 and the order dated 22.12.2005 passed by the Industrial Court in Revision Application No. 4 of 2000.

2. The Labour Court had held that the petitioner has engaged in an unfair labour practice under Item 1 of Schedule IV of the M.R.T.U. & P.U.L.P. Act, 1971 by terminating the services of the respondent. It was found that the petitioner had admittedly allowed the respondent to join duty as a Muster Clerk on 20.9.1991

pursuant to the interim orders passed in the complaint. On the issue as to whether the petitioner had complied with the provisions of Section 25-F, the Labour Court held that the petitioner had indulged in an unfair labour practice by terminating the services of the respondent in breach of S. 25F. The Industrial Court has taken the same view in the revision. Hence, this Court need not interfere with the finding of fact recorded by both the Courts below.

3. Writ petition stands dismissed.

(SMT. NISHITA MHATRE, J.)